

Exhibit 1

Stipulation

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*¹

Debtors.

Chapter 7

Case No. 23-10253 (KBO)

(Jointly Administered)

Re D.I. 478

**STIPULATION RESOLVING MOTION OF LEADIANT BIOSCIENCES, INC.
FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM**

George L. Miller, the duly appointed chapter 7 trustee (the “Trustee”) for the estates (the “Estates”) of the above-captioned Debtors (the “Debtors”), and Leadiant Biosciences, Inc. (“Leadiant” and, together with the Trustee, the “Parties”), hereby stipulate as follows:

WHEREAS, on February 23, 2023 (the “Petition Date”), the Debtors commenced these jointly administered bankruptcy cases (collectively, the “Bankruptcy Cases”) by each filing a voluntary petition in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) for relief under chapter 7 of the Bankruptcy Code.

WHEREAS, on or about the Petition Date, the Office of the United States Trustee appointed the Trustee as the chapter 7 trustee for the Estates of each of the Debtors.

WHEREAS, on or about June 23, 2023, Leadiant filed a *Motion for Allowance and Payment of Administrative Expense Claim* [D.I. 478] (the “Motion”), requesting allowance of an administrative expense claim pursuant to 11 U.S.C. § 503(b)(9) in these Bankruptcy Cases in the amount of \$217,828.94 (the “Administrative Expense Claim”).

¹ The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23- 10255. The Debtors’ headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

WHEREAS, following arm's-length negotiations, the Trustee and Leadant wish to resolve the Motion on the terms and conditions set forth below.

NOW, THEREFORE, intending to be legally bound, and subject to Bankruptcy Court approval, the Parties agree as follows:

1. In resolution of the Motion, the Administrative Expense Claim shall be allowed against Debtor Akorn Operating Company LLC pursuant to 11 U.S.C. § 503(b)(9) in the amount of \$217,828.74.

2. Leadant shall not be entitled to immediate payment of the Administrative Expense Claim. Rather, the Trustee shall make any/all distribution(s) on account of the Administrative Expense Claim in accordance with the priorities set forth under the Bankruptcy Code, including 11 U.S.C. §§ 726 and 507, at the same time that he makes distributions generally on account of other allowed administrative expense claims under 11 U.S.C. § 503(b)(1) in the Bankruptcy Cases.

3. Promptly following the execution of this Stipulation, the Trustee shall submit this Stipulation to the Bankruptcy Court for approval together with a certification of counsel. The Parties shall cooperate as may be reasonably necessary to obtain Bankruptcy Court approval.

4. The Bankruptcy Court shall retain jurisdiction to enforce the terms of this Stipulation.

Dated: August 31, 2023

COZEN O'CONNOR

/s/ Simon E. Fraser

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Counsel for the Trustee, George L. Miller

Dated: August 31, 2023

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